

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

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In Re:  
Warren J Green,

Chapter 7  
Case No: 13-10204-MSH

Debtor,

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**OPPOSITION OF MARSHA S. GREEN TO CHAPTER 7 TRUSTEE'S  
MOTION TO EMPLOY APPRAISER**

Now comes Marsha S. Green ("Ms. Green"), by counsel, and hereby Opposes the Chapter 7 Trustee's Motion to Employ Appraiser.

In support of this Opposition, Ms. Green states as follows:

1. The allegations as set forth in paragraph 1 are admitted.
2. The allegations as set forth in paragraph 2 are denied insofar as the ruling in *In re Snyder*, 249 B.R. 40 (1<sup>st</sup> Cir BAP 2000) applies, wherein the Bankruptcy Appellate Panel affirmed that the extent of the debtor's interest in the tenancy by the entirety "is indeterminate until the tenancy is terminated."
3. The allegations as set forth in paragraphs 3, 4, 5 and 6 cannot be admitted or denied. However, it is Ms. Green's position that a \$1,000.00 fee is excessive for a residential condominium.
4. Given the holding in *In re Snyder, Id.*, it is an exercise in futility for the Trustee to seek an appraisal on a property in which the estate's interest is indeterminate.
5. This Court has ordered dispositive Motions to be filed in Adversary Proceeding No. 14-1026 by March 30, 2018. Accordingly, the Trustee's Motion is premature at best.

WHEREFORE, Ms. Green Opposes the Chapter 7 Trustee's Motion to Employ Appraiser for the reasons stated herein and for all other relief deemed just and equitable.

Respectfully submitted,

/s/ John F. Sommerstein  
John F. Sommerstein  
Counsel to Marsha Green  
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Dated: February 28, 2018

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I served the attached **Opposition** to the parties entitled to electric service listed below via the Court's CM/ECF system.

/s/ John F. Sommerstein  
John F. Sommerstein

VIA ECF:

Paula R.C. Bachtell on behalf of Assistant U.S. Trustee John Fitzgerald  
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